

Division 3. Air Resources Board

Chapter 9. Off-Road Vehicles and Engines Pollution Control Devices

Article 4.7. Spark-Ignition Marine Engines

§ 2443.2. Consumer/Environmental Label Requirements.

(a) Purpose. The purpose of this section is to require engine manufacturers to affix a single label on each production spark-ignition marine engine (or watercraft, as applicable) that provides potential engine owners, engine owners, and enforcement personnel with information on the relative cleanliness of the engine under the Air Resources Board's standards.

(b) Applicability. This section applies to:

(1) Model year 2001 and later spark-ignition marine engines, which have been certified to the applicable emission standards pursuant to Health and Safety Code section 43013;

(2) Federally certified spark-ignition marine engines produced prior to model year 2001 that comply with the emission standards pursuant to section 2442; and

(3) Spark-ignition marine engines produced prior to model year 2001 and shown by the manufacturer to comply with the emission standards pursuant to section 2442.

(c) If an engine manufacturer has certified a spark-ignition marine engine family to an FEL at or below the exhaust emission standard designated in section 2442(a), Table 1, the engine manufacturer (or equipment/watercraft manufacturer who uses such engines) must label each new engine within the engine family as a compliant engine pursuant to this section. If the engine family fails in-use compliance and/or production line testing and corrective action is not taken within thirty (30) days, the engine manufacturer must cease representation of any engines within the family as compliant engines. In this case, corrective action refers only to physical changes made to bring the engine into compliance with its original FEL. Spark-ignition marine engines as described in paragraph (b)(2) may be labeled pursuant to the provisions of this section before the 2001 model year if such engines comply with Title 40, Code of Federal Regulations, Part 91 [October 4, 1996], which is incorporated herein by reference. Spark-ignition marine engines as described in paragraph (b)(3) may be labeled pursuant to the provisions of this section before the 2001 model year if such engines are tested using certification test procedures plus a thirty (30) percent deterioration factor, as applicable. Alternative demonstrations of emissions performance may be used for engines described in paragraphs (b)(2) and (b)(3) if the engine manufacturer demonstrates to the Executive Officer's satisfaction that the emissions performance is representative of actual emissions for the engine family. Any use of the label described below counter to the requirements set forth herein violates this section and may subject the engine manufacturer to penalties as permitted by Part 5, Division 26 of the Health and Safety Code.

(1) Facsimiles of the label format are shown in Figure 1.

Figure 1



(NOTE: Labels are not to scale.)

(A) The engine manufacturer must ensure that the label has the following characteristics:

(i) Oval shape;

(ii) Dimensions of no less than three inches wide by two and a half inches high, except that it may be no less than two inches by one and two thirds inches high for engines that have power outputs of 11.2 kW (15 hp) or less;

(iii) A watermark as shown in Figure 2 that is a clear laminate. The watermark must cover the entire label and be screened at no less than fifteen percent; and

(iv) All written information required by paragraph (c)(4)(B) must be in the English language and the font must be sans serif. The characters must be a minimum of two (2) millimeters in height except as specified in paragraph (b)(1)(B)(i)(d), and of a color that contrasts with the background on which it is displayed.

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Figure 2



(B) Multiple levels of cleanliness. Progressively clean engines shall carry the following notations (as applicable):

(i) An engine that has an FEL at or below the hydrocarbon plus oxides of nitrogen standard listed in Table 1 of this section for Tier 1 must include the phrase “LOW EMISSION” and a single star symbol as shown in Figure 1.

(ii) An engine that has an FEL at or below the hydrocarbon plus oxides of nitrogen standard listed in Table 1 of this section for Tier 2 must include the phrase “VERY LOW” and two star symbols as shown in Figure 1.

(iii) An engine that has an FEL at or below the hydrocarbon plus oxides of nitrogen standard listed in Table 1 of this section for Tier 3 must include the phrase “ULTRA LOW EMISSION” and three star symbols as shown in Figure 1.

Table 1.

Hydrocarbon plus Oxides of Nitrogen Standards (in g/kW-hr)

Tier	P < 4.3	P > 4.3
1	81.00	$(0.25 \times (151 + 557/P0.9)) + 6.0$
2	64.80	$(0.20 \times (151 + 557/P0.9)) + 4.8$
3	30.00	$(0.09 \times (151 + 557/P0.9)) + 2.1$

Where P means the average power in kW (sales-weighted) of the subject engine family.

(iv) All phrases encircling the top portion must have block characters that are a minimum of five (5) millimeters in height except that the characters may be three (3) millimeters for labels sized as allowed pursuant to paragraph (c)(1)(A)(i) for engines that have power outputs of 11.2 kW (15 hp) or less.

(C) Language other than that specified in paragraph (b)(1)(B) must not be used unless permitted by the Executive Officer.

(D) The color of the outer oval and stars on the labels must contrast with the engine cover or watercraft hull. The color of the interior oval (i.e., background for the stars) must contrast with the color of the outer oval and stars.

(2) Label Location. For outboard engines, a single label must be permanently affixed to the back of the engine cover or cowling. For personal watercraft, a single label must be affixed two to three inches to the right of the required location of the California Assigned Vessel Number displayed on the port side of the hull. Each label must be manufactured and permanently affixed so that it cannot be removed without destroying or defacing the label, must be readily visible and must not be affixed to any location that is likely to be replaced during the engine's useful life. For the purposes of this paragraph, readily visible means that the label's shape and number of stars are discernible from a distance of 100 feet.

(3) The labels and any adhesives used must be designed to withstand, for the engine's or watercraft's useful life, typical environmental conditions in the area where the labels required by this section are affixed. Typical equipment environmental conditions include, but are not limited to, exposure to extreme heat or cold, moisture, engine fuels, lubricants and coolants (e.g., gasoline, motor oil, saltwater, ethylene glycol). The engine manufacturer must submit, with its certification application, a statement attesting that its labels and engine identification numbers comply with these requirements.

(4)(A) Labels must be affixed to new watercraft or engines by the engine manufacturer or the original equipment manufacturer. If affixed by the original equipment manufacturer, the engine manufacturer remains the

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ultimate party responsible for ensuring that the labels are correctly administered. Improper labeling or distribution of labels will subject the engine manufacturer to penalties as described in paragraph (h).

(B) Labels on engines or watercraft described in paragraphs (b)(2) and (b)(3) may be applied by either the engine manufacturer, the original equipment manufacturer, distributors or dealers. However, the engine manufacturer remains the ultimate party responsible for ensuring that the labels are correctly administered. Improper labeling or distribution of labels will subject the engine manufacturer to penalties as described in paragraph (h). If the labels are applied by the distributor or dealer, the engine manufacturer must include its name and a serial number on the lower portion of the label as shown in Figure 1. The format of the serial number will be two alpha characters followed by five numeric characters (e.g., AA12345). The serial numbers must be recorded by the distributor or dealer and reported to the manufacturer of the engine when installed on a pre-2001 model year watercraft or engine. These numbers must be made available to the Executive Officer upon request.

(d) If the engine or watercraft cannot be adequately labeled under the requirements of paragraph (c), the engine manufacturer may request modification of these requirements from the Executive Officer.

(e) Replacement engines installed in hulls, cowlings or watercraft that had been previously labeled in accordance with these specifications must have identical or improved emissions to that of the original certified engine.

(f) Samples of all labels produced pursuant to this section must be submitted to the Executive Officer with the applicable certification application.

(g) Engines that are labeled in accordance with this section and subsequently modified with add-on or modified parts that are not exempted by the Executive Officer, are subject to label removal by an ARB Enforcement Officer or other authorized party.

(h) If the Executive Officer finds any engine manufacturer using labels for which it has responsibility for attaching that are different from those approved or that do not substantially comply with the discernibility or durability requirements set forth in these specifications, the engine manufacturer will be subject to being enjoined from any further sales or distribution, of applicable equipment product line that uses noncompliant labels in the State of California pursuant to section 43017 of the Health and Safety Code. If the Executive Officer finds any engines or watercraft with labels that are not affixed in accordance with paragraph (c)(1)(B), the engine manufacturer must remove the labels from all affected watercraft and engines and will be subject to being enjoined from any further sales or distribution, of applicable equipment product line that uses noncompliant labels in the State of California pursuant to section 43017 of the Health and Safety Code. Additional penalties may be assessed to the extent permissible under Part 5, Division 26 of the Health and Safety Code. Before seeking remedial action against the engine or equipment manufacturer, the Executive Officer will consider any information provided by the engine or equipment manufacturer.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018, 43101, 43102 and 43104, Health and Safety Code. Reference: Sections 43013, 43017, 43018, 43101, 43102, 43104, 43105, 43150-43154, 43205.5 and 43210-43212, Health and Safety Code.

REFERENCE